

Book

MEETINGS TO DATE 18
NO. OF REGULARS 16
NO. OF SPECIALS 2

LANCASTER, NEW YORK
AUGUST 16, 1976

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 16th day of August, 1976 at 8:00 P.M. and there were

PRESENT:

STANLEY JAY KEYSA, SUPERVISOR
JOSEPH R. BARNHARDT, COUNCILMAN
EDWARD A. BERENT, COUNCILMAN
PETER J. BOLENDER, COUNCILMAN
ARTEL J. METZ, COUNCILMAN

ABSENT:

NONE

ALSO PRESENT:

ELEANOR D. KUCHARSKI, DEPUTY TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY
EDWARD J. FERON, JR., TOWN ENGINEER
JOHN F. LUME, HIGHWAY SUPERINTENDENT

BID OPENINGS:

None

PUBLIC HEARING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M. the Town Board held a Public Hearing to hear all interested parties and citizens for or against the proposed Rezone Petition of Angelo and Fanny Arcadi.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed Certified Mail, Return Receipt Requested, to the Petitioner, the Attorney for the Petitioner and the Erie County Department of Planning notifying these individuals of the time and place of this Public Hearing.

The Town Clerk presented a Zoning Coordination Referral from the Erie County Department of Planning wherein the Department acknowledged receipt of a Notice of this Public Hearing and commented as follows:

"The Erie County Planning Board supports the Lancaster Planning Board for approval of this request.

The Erie County Department of Environmental Quality has reviewed this case and reports that this case is located in Erie County Sewer District #4. Sewers are projected for this area in the future. However, at present, the District Office of the Erie County Health Department should be consulted. A business not located in a sewer district also requires a S.P.D.E.S. (State Pollutant Discharge Elimination System) permit from the State if the discharge of wastes exceeds 1,000 gallons per day, or is a surface discharge."

The Town Clerk presented a letter from Tryon and Schwartz, retained consultants of the Town of Lancaster, to the Planning Board recommending a favorable review of this proposed rezone.

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending approval of the proposed rezone.

PROPOSERS:

Anthony DiFilippo, III, Atty
Joseph Arcadi

ADDRESS:

681 Main St, East Aurora, NY 14052
79 Lake Ave., Lancaster, NY 14086

OPPONENTS:ADDRESS:

John Zaenglein	60 Stony Road, Lancaster, NY	14086
Barbara Zaenglein	60 Stony Road, Lancaster, NY	14086
Cathy Lange	64 Stony Road, Lancaster, NY	14086
Milton Lange	64 Stony Road, Lancaster, NY	14086
Ihor Moroz	3986 Walden Ave., Lancaster, NY	14086
Louis Frank	3980 Walden Ave., Lancaster, NY	14086
Dorothy Kwiecinski	141 Stony Road, Lancaster, NY	14086

ON MOTION BY COUNCILMAN BARNHARDT, AND SECONDED BY COUNCILMAN BERENT AND CARRIED, by unanimous roll call vote, the Public Hearing was closed at 8:34 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter until their next meeting scheduled for September 7, 1976.

PUBLIC HEARING SCHEDULED FOR 8:15 P.M.:

At 8:35 P.M. the Town Board held a Public Hearing to hear all interested parties and citizens for or against the proposed Rezone Petition of Dennis Richards.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letter which were mailed Certified Mail, Return Receipt Requested, to the Petitioner, the Erie County Department of Planning and the Village Clerk of the Village of Lancaster notifying these individuals of the time and place of this Public Hearing.

The Town Clerk presented a Zoning Coordination Referral from the Erie County Department of Planning wherein the Department acknowledged receipt of a Notice of this Public Hearing and commented as follows:

"The Erie County Planning Division recommends denial of this case for the following reasons:

1. In light of the large amount of industrially-zoned property in proximity to the property in question, both within the Village and Town of Lancaster, there appears to be no need to create additional industrially-zoned property in this location.
2. Industrial zoning on the north side of Walden Avenue, in this particular location, contradicts the Town's Development Plan.
3. The "spot zoning" of this property would provide preferential treatment to a property owner.

PUBLIC HEARING SCHEDULED FOR 8:15 P.M. CONT'D:

4. The establishment of an industrial zone at this location could have a detrimental effect upon the adjacent residences.

The Town Clerk presented a letter from Tryon and Schwartz, retained consultants of the Town of Lancaster, to the Planning Board recommending a denial of this proposed rezone.

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending denial of the proposed rezone.

PROPOSERS:

Dennis Richards
William Hineman
Leonard Rusinek

ADDRESS:

120 Iroquois Place, Lancaster, NY 14086
107 Stony Road, Lancaster, NY 14086
290 Olmstead, Depew, NY 14043

OPPOSERS:

None

ON MOTION BY COUNCILMAN BARNHARDT, AND SECONDED BY COUNCILMAN BERENT AND CARRIED, by unanimous roll call vote, the Public Hearing was closed at 8:47 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter until their next meeting scheduled for September 7, 1976.

OFFICIAL REPORTS:

The Town Clerk reported that the following departments of the Town of Lancaster have filed with him their Monthly Reports as follows:

<u>DEPARTMENT</u>	<u>MONTH OR MONTHS OF</u>
Town Clerk	July, 1976
Dog Warden	July, 1976

The Town Clerk reported that the following Boards, Commissions, Bureaus, and Committees of the Town of Lancaster have filed with him minutes or memorandums of their meetings as follows:

Planning Board	Meeting #12 - July 28, 1976
Youth Bureau	June 17, 1976

COMMITTEE REPORTS:

Councilman Barnhardt, for the Street Lighting Committee, reported on negotiations with N.Y.S. Electric & Gas Corp. relative to the new street lighting contract in an attempt to reduce a proposed \$14,000.00 increase.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held on August 2, 1976, as presented by the Town Clerk, be and hereby are
approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~duly~~
The resolution was thereupon unanimously adopted.

August 16, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Town of Lancaster Ambulance Board has recommended
the appointment of a certain individual to the Town of Lancaster
Volunteer Ambulance Corps,

NOW, THEREFORE, BE IT

RESOLVED, that the following addition be made to the membership
of the Town of Lancaster Volunteer Ambulance Corps:

Donald H. Ast

and

BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is authorized
and directed to take whatever action necessary with the United States
Fidelity and Guaranty Company to provide Workmen's Compensation Insurance
to cover the foregoing new member of the Town of Lancaster Volunteer
Ambulance Corps.

The question of the adoption of the foregoing resolution was
duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~xxx~~

The resolution was thereupon unanimously adopted.

August 16, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, 4-H Division of Cooperative Extension Service of Erie
County provides a broad spectrum of educational services of great benefit to a
large number of people in the Town of Lancaster and throughout Erie County, and

WHEREAS, the action of the County Executive in curtailing funds for
the educational programs of 4-H Division of Cooperative Extension Service of
Erie County will seriously curtail, to the point of destroying, this fine
educational and leadership program which would be a great loss in leadership
development of youth and rural and farm educational programs,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature and Erie County Executive
be memorialized to properly fund the Cooperative Extension Service of Erie
County to continue the programs of that important agency.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~and~~
The resolution was thereupon unanimously adopted.

August 16, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, the Lancaster Environmental Conservation Commission has,
pursuant to Article 12-f of the General Municipal Law, made a detailed Open
Space Inventory for the Town of Lancaster through the joint efforts of members
of said Commission at minimal cost to the Town of Lancaster by the preparation
of a detailed report and map, which report and map have been filed in the Office
of the Town Clerk of the Town of Lancaster, and

WHEREAS, said Open Space Inventory report and map have been reviewed
by the Planning Committee of the Town Board and the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that the Open Space Inventory report and map of the Town
of Lancaster prepared by the Town of Lancaster Environmental Conservation
Commission be and hereby are adopted as the official Open Space Inventory report
and map of the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that the Town Board hereby extends its sincere appreciation
to the Town of Lancaster Environmental Conservation Commission and in particular
members Timothy O'Neil and Thomas Morganti, for the dedication of their time
and efforts to this important project.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

~~xxx~~
The resolution was thereupon unanimously adopted.

August 16, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, it has come to the attention of the Town Board of the Town of Lancaster that Dr. Stanley Platman, Regional Director of the New York Mental Hygiene Department, has tendered his resignation from that position, and

WHEREAS, the Town Board of the Town of Lancaster has and continues to be impressed with the work and dedication to service exhibited by Dr. Ahmad Farooq of the New York Mental Hygiene Department, particularly in the program initiated by Dr. Farooq when he was Chief of Unit IV of the Buffalo Psychiatric Center,

NOW, THEREFORE, BE IT

RESOLVED, that the Governor of the State of New York and State Mental Health Commissioner Kolb be and hereby are memorialized by the Town Board of the Town of Lancaster, urging the appointment of Dr. Ahmad Farooq as Regional Director of the New York State Mental Hygiene Department, and

BE IT FURTHER

RESOLVED, that the Town Clerk forward a certified copy of this resolution to Governor Carey, Commissioner Kolb and the Lancaster Youth Bureau.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

dxkx

The resolution was thereupon unanimously adopted.

August 16, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, the Planning Board and the Planning Consultant of the Town of Lancaster have recommended and the Town Board of the Town of Lancaster deems it in the public interest to amend a portion of the Code of the Town of Lancaster, County of Erie, State of New York, being Chapter 50 - Zoning - by making the following change thereto as follows:

"Section 50-33, Permitted Uses and Structures is hereby amended by adding thereto:

A.

.

(15) The following uses by special use permit authorized by the Town Board (Article XXVI)

(a) Private Tennis Club"

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York, a public hearing on the proposed amendment to the Code of the Town of Lancaster, Chapter 50, Zoning, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 7th day of September, 1976, at 8:00 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Enterprise-Journal, the official newspaper, and be posted on the Town Bulletin Board, which Notice shall be in the following form:

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 16th day of August, 1976, the said Town Board will hold a Public Hearing on the 7th day of September, 1976, at 8:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Code of the Town of Lancaster, County of Erie, State of New York, Chapter 50, Zoning

"Section 50-33, Permitted Uses and Structures is hereby amended by adding thereto:

A.

.

(15) The following uses by special use permit authorized by the Town Board (Article XXVI)

(a) Private Tennis Club"

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

By: ROBERT P. THILL
Town Clerk

August 16, 1976

nd,

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster be and hereby is directed to furnish Notice of said Public Hearing to the Clerks of the Village of Lancaster, the Village of Depew, the Town of Alden, Town of Elma, Town of Cheektowaga and Town of Clarence, as well as to the Erie County Department of Planning in accordance with Section 239 (m) of the General Municipal Law of the State of New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN	BARNHARDT	VOTED YES
COUNCILMAN	BERENT	VOTED YES
COUNCILMAN	BOLENDER	VOTED YES
SUPERVISOR	KEYSA	VOTED YES
COUNCILMAN	METZ	VOTED YES

~~duky~~
The resolution was thereupon unanimously adopted.

August 16, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, by resolution of the Town Board of May 17, 1976, George Eberhardt, a Police Clerk in the service of the Town of Lancaster was granted a leave of absence without pay due to extended illness for the period May 27, 1976 to September 1, 1976, and

WHEREAS, by letter of August 6, 1976, the said George Eberhardt has requested that this leave be extended to December 31, 1976, and by letter of August 9, 1976, the Chief of Police of the Town of Lancaster has recommended that such request be granted,

NOW, THEREFORE, BE IT

RESOLVED, that George Eberhardt, Police Clerk, be and hereby is granted an extension of leave of absence without pay for the period September 1, 1976 to December 31, 1976.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~duly~~
The resolution was thereupon unanimously adopted.

August 16, 1976

THE FOLLOWING RESOLUTION WAS OFFERED ,
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, by letter of August 11, 1976, Martin Brzyski, an employee of the Town of Lancaster Highway Department, has requested authorization to attend a training class and examination given by the New York State Department of Environmental Conservation in East Aurora, New York, on August 24, 1976, for acquisition of his certification as a Commercial Pesticide Applicator, and

WHEREAS, it is deemed in the public interest that such authorization be granted,

NOW, THEREFORE, BE IT

RESOLVED, that Martin Brzyski be and hereby is authorized to attend the aforesaid class and examination with no loss of regular pay and with reimbursement for mileage.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~xxxx~~

The resolution was thereupon unanimously adopted.

August 16, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, Sanitary Sewer District No. 2 has heretofore been created
and established by the Town Board of the Town of Lancaster, and

WHEREAS, the members of the said Town Board were heretofore authorized
to act as Commissioners of Sanitary Sewer District No. 2 in said Town, and

WHEREAS, an Agreement with the Village of Lancaster for rental of
Village sewer facilities to said Sanitary Sewer District No. 2 should be extended
and modified, and

WHEREAS, the Village of Lancaster has offered to extend said Agreement
for the period from August, 1974, to August 26, 1978, including calendar year 1978,
for an increase in annual rental of twenty percent (20%) per year for said term,
in accordance with terms negotiated by and between the Town and Village attorneys,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor and members of the Town Board of the
Town of Lancaster be and hereby are authorized and directed to execute said
Agreement with the Village of Lancaster on the terms and conditions as set
forth therein, which Agreement is incorporated herein with full force and effect
as if set forth in full, and

BE IT FURTHER

RESOLVED, that the Village Board and Village Attorney be commended
for the cooperative spirit in which the extension of said Agreement was
negotiated.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

August 16, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Sheriff of Erie County has informed the Town Board of the Town of Lancaster of the County Executive's proposal to eliminate sixty-eight positions in the Department of the Sheriff of Erie County, forty-nine of which are apparently directly involved in criminal enforcement, and

WHEREAS, the Town of Lancaster not only supports by direct taxation a well-qualified, efficient, well-staffed and supplied Police Department for the protection of the area comprising the Town of Lancaster outside of its Villages at a total cost in excess of \$400,000 and at great personal sacrifice to the taxpayers of this community, and

WHEREAS, while we acknowledge that the Erie County Sheriff's Department does provide some over-lapping police support services to the Town of Lancaster, other communities who have no organized Police Department in Erie County are, for the most part, receiving the benefit of the Erie County Sheriff's Department, which Department is supported by all taxable properties in Erie County, placing taxpayers of the Town of Lancaster in particular at an economic disadvantage as compared to taxpayers in such communities having no local police service,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and County Legislature seek and enact a method of payment for services of the Erie County Sheriff's Department by communities having no or minimal local police service so as to relieve communities such as the Town of Lancaster who are bearing an undue burden of taxation for police services in supporting its own Police Department and contributing to the support of the Erie County Sheriff's Department for otherwise unprotected communities in Erie County, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be forwarded to the Erie County Legislature, the Erie County Executive, County Legislators Wolf and Slisz and State Senator Volker and State Assemblyman Graber.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~duky~~
The resolution was thereupon unanimously adopted.

August 16, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts;

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 3794 to 4022 Incl.	\$35,466.87
Special District Funds	No. 157 to 160 Incl.	\$ 8,482.60
Part Town Funds	No. 332 to 335 Incl.	\$ 291.27
Highway Funds	No. 927 to 948 Incl.	\$16,551.45
Trust & Agency Funds	No. 137 to 139 Incl.	\$ 350.00
Federal Revenue Sharing	No. 323 to 358 Incl.	\$ 9,668.07
Capital Fund	No. 234 to 234 Incl.	\$21,000.00

The question of the adoption of the foregoing resolution was
duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
SUPERVISOR KEYSA VOTED YES
COUNCILMAN METZ VOTED YES

~~and~~
The resolution was thereupon unanimously adopted.

August 16, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN METZ , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 BOLENDER , TO WIT:

RESOLVED, that the following Building Permit Applications be
 and are hereby approved and the issuance of Building Permits be and are
 hereby authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
77	Edmund R. Richards	250 Erie	ER. FR. FAMILY ROOM ADDITION
78	Anthony Wojcik	Pavement Rd.	DEM. CONCRETE BLOCK OFF. BLDG.
79	Carol Wojtaszek	113 Brunck	ER. FR. PVT. GARAGE
80	Donald Mann	182 Pleasant View	ER. FR. BARN
81	Guhl & Weir	15 Ellie Ct.	ER. FR. SIN. DWLG PVT. GARAGE

The question of the adoption of the foregoing resolution was
 duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
 COUNCILMAN BERENT VOTED YES
 COUNCILMAN BOLENDER VOTED YES
 SUPERVISOR KEYSA VOTED YES
 COUNCILMAN METZ VOTED YES

~~xxx~~
 The resolution was thereupon unanimously adopted.

August 16, 1976

Councilman Bolender requested a suspension of the necessary rule for immediate consideration of the following resolution - SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

WHEREAS, by resolution of the Town Board of the Town of Lancaster adopted on June 21, 1976, a number of individuals were employed in the Highway Department on a temporary basis for the period July 6, 1976 to August 27, 1976, and

WHEREAS, it has been determined by the Highway Committee of the Town Board and the Town Board that said individuals will be needed for an additional period of time,

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are employed on a temporary basis in the service of the Highway Department for the period August 30, 1976 to September 3, 1976:

Jeffrey Geblein
Julian M. Myers
Benedict F. Arcese
John J. Boron
Anthony Bacarri
Michael P. Dunnigan
Joseph Gallo
Michael Kilgallon
Peter W. Franger
James S. Schneider
Ronald P. Matthews.

and

BE IT FURTHER

RESOLVED, that Kenneth M. Ostrowski be and hereby is employed on a temporary basis in the Highway Department for the period August 30th to October 1, 1976.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

dxkxx

The resolution was thereupon unanimously adopted.

August 16, 1976

STATUS REPORT ON UNFINISHED BUSINESS:1. Walden Pond Park - Federal Assistance Application

On August 2, 1976, the Supervisor was authorized by resolution to execute a contract for this project with the Bureau of Outdoor Recreation and to take such action as shall be necessary for the development of this park complex. On August 3, 1976 the Town Clerk transmitted this contract to the State Recreation Commissioner for approval.

2. Rezone Petition, Angelo and Fanny Arcadi

On August 16, 1976, the Town Board held a Public Hearing on this petition and reserved decision.

3. Subdivision Approval, Josela Enterprises, "Countryside Subdivision"

On February 6, 1976, the Planning Board granted preliminary approval to the subdivider for this subdivision. The subdivider must now proceed with Step 5 of "Steps for Control of Land Subdivision" and proceed with the preparation of a final plat.

4. Rezone Petition, Dennis Richards

On August 16, 1976, the Town Board held a Public Hearing on this petition and reserved decision.

5. Rezone Petition, Macaluso Building Corp.

On June 21, 1976, this rezone petition was presented to the Town Board and referred to the Planning Board for review and report. On August 9, 1976, the petitioner amended the original petition and also applied for a Special Use Permit to operate a Tennis Club in a RC, Residence-Restricted Business District.

6. Rezone Petition, Broadway Steinfeldt Inc.

On July 20, 1976, this rezone petition was presented to the Town Board and referred to the Planning Board for review and report.

The Town Clerk was directed to add the following items to future agendas of the Town Board.

"Subdivision Approval, Lancaster Industrial Park"

"Rezone Petition, Guenther H. and Eva G. Burkhardt"

"Special Use Permit, Tennis Club - Macaluso Building Corp."

PERSONS DESIRING TO ADDRESS TOWN BOARD:

Mrs. Ruth Johnson, 305 Argus Drive, Depew, New York complained about hunting in the area north and east of Rehm Road, Depew that is also used as a shortcut by children going to school. This matter was referred to the Police and Safety Committee.

Tim O'Neil, 25 Holland Avenue, Lancaster, New York stated that the State Attorney General's Office has issued a directive that the Towns are to enact an ordinance or resolution pertaining to the wet lands no later than the end of August. This is a change from the interpretation of the Department of Environmental Conservation and probably cannot be complied with by the majority of towns.

COMMUNICATIONSDISPOSITION

- | | |
|---|--|
| 426. Town Clerk to Town Board
Resume of actions taken in response to directions and resolutions of the Town Board Meeting of 8/2/76. | R & F |
| 427. Det. James Quiram to Town Board -
Report on Specialized School for Bombing Investigators held at Alfred State University. | R & F |
| 428. Copy of the July, 1976 Report of the Town Clerk. | R & F |
| 429. Secretary, Ambulance Board to Town Board -
Recommendation that one new member be added to roster. | R & F |
| 430. Western New York Utilities Ass'n to Town Board -
Request that when consultants are engaged for the design of any new project within our jurisdiction, they be requested to contact the appropriate utility involved to avoid conflicts. | Engineer
Highway Sup't
Tryon & Schwartz |
| 431. Copy of Open Space Inventory Report compiled by the Lancaster Environmental Conservation Commission. | Engineer
Highway Sup't.
Planning Board
Attorney |
| 432. Doralco Inc. to Town Board -
Application for Approval of Proposed Subdivision - "Lancaster Industrial Park". | Engineer
Highway Sup't
Town Board |
| 433. Environ. Conservation Comm. to Town Board -
Expression of opinions and recommendations concerning stripping of topsoil on the proposed Countryside Subdivision. | Planning Board
Bldg. Inspector
Attorney |
| 434. Copy of the July, 1976 Report of the Dog Warden. | R & F |
| 435. Police Chief to Town Board -
Notification that Simplex Co. will forward an estimate on an alarm system for buildings at Meadow Lea Park and Keysa Park. | R & F |
| 436. Copy of the Lancaster Planning Board Minutes for Meeting #12 held on 7/28/76. | R & F |
| 437. Supervisor to Town Board -
Notification of investment of funds in the amounts of \$100,000. and \$200,000. with dollar earnings of \$534.72 and \$1,968.75. | R & F |
| 438. Chairman, 4H Exec. Comm. to Supervisor -
Request the Town Board to urge the County Executive and Legislature to place back in the budget the proper funds necessary for Cooperative Extension. | R & F |
| 439. Copy of Lancaster Youth Bureau Minutes of meeting held on 6/17/76. | R & F |

COMMUNICATIONS CONT'D.DISPOSITION

- | | |
|--|---|
| 440. Copy of letter from Alden Town Clerk to Brd of Mgr's, ECSD #4 with transmittal of resolution adopted 8/2/76 relative to action taken in regard to ECSD #4. | R & F |
| 441. Copy of letter and enclosures from Town Clerk to Sec'y, Planning Board giving notice that the Guenter H. and Eva G. Burkhardt Rezone Petition will be presented to the Town Board at the meeting held 8/16/76. | R & F |
| 442. Copy of letter and enclosures from Town Clerk to Sec'y, Planning Board transmitting an amendment and a new legal description for the Macaluso Building Corp. Rezone Petition. | R & F |
| 443. Highway Sup't. to Town Board - Transmittal of 1976 Annual Inventory of Highway Machinery, Tools and Equipment. | R & F |
| 444. Copy of memorandum from Proj. Dir., State Univer. of Albany, Graduate School giving notice of 1976-1977 Public Executive Project Schedule. | R & F |
| 445. Police Chief to Town Board - Request extension on the leave of absence for George Eberhardt. | R & F |
| 446. Copy of letter from Paul J. Linhardt to Supervisor expressing concern with the expanding of Gravel Pits in the N.E. location of the Town of Lancaster. | Town Clerk
Zoning Inspector
Environ. C. Comm. |
| 447. Martin Brzyski to Town Board - Request permission to attend a N.Y.S. Dept. of Environ. Conser. training class on 8/24/76. | R & F |
| 448. Copy of letter from the Town Clerk to the four (4) Fire Chiefs and the four (4) Fire Presidents notifying them of the Annual Inspection on 9/18/76 and the General Discussion on 9/24/76. | R & F |
| 449. Secretary, Planning Board to Town Board - Recommendation that Zoning Ordinance be amended to allow Special Use Permits under the RC zone and to include Tennis Clubs. Also recommended that the amended Macaluso Corp. Rezone Petition be approved. | R & F |
| 450. Copy of letter from N.Y.S. Dept. of Environ. Conser. giving notice of a series of public hearings to be held in September in regards to the regulation of solid waster management practices. | Highway Sup't.
Envir. Cons. Comm. |

COMMUNICATIONS CONT'D.

Page 435
DISPOSITION

451. Trautman Assoc. to Supervisor -
Recommendation of final payment
to Truckenbrod & Co. for work
completed at Lancaster Town Center.
452. Chairman, Youth Bureau to Town Attorney -
Recommendation that Town Board submit
a resolution to the Governor endorsing
Dr. Ahmad Farooq as Reg. Dir., Mental
Hygiene for Western N.Y.
453. Pres., Ambulance Board to Town Board -
Transmittal of copy of the revised
"Rules and Regulations Governing
Operation and Maintenance, Emergency
Ambulance Service of Town of Lancaster,
New York".

Highway Sup't.

R & F

Attorney
Police & Safety

ADJOURNMENT:

ON MOTION OF COUNCILMAN BARNHARDT, AND SECONDED BY THE ENTIRE
TOWN BOARD AND CARRIED, the meeting was adjourned at 9:44 P.M. out of
respect to:

Charles Soloman

John Maccarone

Signed Eleanor D. Kucharski
Eleanor D. Kucharski, Deputy Town Clerk